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THE HAWAIIAN STAR.

The Hawaiian Star is the paper that goes into the heart of Honolulu.

VOL. IX.

HONOLULU, H. I., FRIDAY, FEBRUARY 14, 1902.

No. 3993

TO STOP SALES OF PRIMO BEER

ESTEE'S DECISION DECLARED TO BE INVALIDATION OF ALL LICENSES OUT.

GEAR SETS GRAND JURY TO WORK.

Tells Jurors to Look up Licensees Estate Declared Void—Possible Clash of Courts Again.

The Grand Jury's attention was directed to the Prime beer business this morning by Judge Gear. The jury came into court at ten o'clock to report a number of indictments. Gear congratulated the jurors upon the rapid work they were doing with criminal matters and then proceeded to speak of the beer licenses.

"I call your attention to the decision by the Federal Judge yesterday," said the court, "that the law under which Honolulu beer licensees have been granted in this city is unconstitutional. You may investigate these saloons and the licenses under which they are doing business, which according to the decision mentioned are illegally issued licenses."

"The question of the effect of Estee's decision is being much discussed in Honolulu today. The Grand Jury is at present busy with routine criminal matters, but it will take up the saloon business later, and then the question of how the Prime men have licenses to sell will come up. The injunction granted by Estee does not go further than to restrain Treasurer Wright from issuing more licenses, it is claimed by Judge Sullivan, who represents the brewery side of this controversy, and even this order is not effective during the pendency of an appeal.

It was not the intention of the Territory to issue any more licenses just now, applications having been refused recently, but in a few months the matter of renewing these now out would come up, and Estee's order, if effective, prevents this, it is claimed. The first of the licenses were granted in July last year.

The malt liquor law may be another issue on which the Territorial and Federal courts here disagree. It appears to be likely that they will have a chance, for report has it that Robertson and Wilder and J. J. Dunne, counsel for the brewery, are fighting the special Honolulu beer license, considering ways and means of closing up the saloons that are being run under licenses which Estee has practically declared to be no licenses at all. The matter will then get into the Circuit court here and the Territorial Supreme court, on the same points which Estee has just decided.

The attorneys for the representatives of the foreign breweries claim that Judge Estee's injunction and decision are effective at once, and that all the Prime saloons will have to close.

"The injunction applies to the licensees already out," said A. G. M. Robertson, "as well as to the issuance of more. To allow a license to run on is just the same as issuing it day after day, and is a violation of the order of the court."

"The men who represent the Eastern breweries do not want to shut up the other places or to stop the Honolulu brewery. All they want is to be on an even footing with them. There is no doubt that the law which Judge Estee decided against, discriminated against them and was unconstitutional. The Territorial courts have already held a similar Hawaiian law to be invalid. J. J. Dunne, also counsel for the Eastern Breweries, takes the same view, that Estee's decision means the closing of the Prime saloons. 'It is for the Territorial officials to act now,' he said. 'We have nothing to do with what course they take. To sell under the license which Judge Estee has declared against is to sell without a license.'"

AS OTHERS SEE US.

The last number of the Iron Age, a trade journal devoted to the interests of the hardware trade, contains, under the title of correspondence from Hawaii although it seems doubtful whether the letter was ever written in these islands, the astonishing information that the natives have a last awakened to the fact that glass is superior to the shells of mollusks, oysters, and "schilike" and that the latter although translucent do not admit much light and have been discarded, while the hard ware dealers are laying in an unusually large supply of "schilike" materials to meet the expected demand.

BAKED ULUA. Spanish sauce, at the Dime Lunch, all day.

THE SEARCHLIGHT.

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At Waikiki, a complete furnished seven roomed house, stable, servant's quarters, ample grounds. Situated in a desirable part of the beach.

In Nuuanu Valley, above Wyllis street, an unfurnished cottage.

And beyond Diamond Head, a furnished house in an attractive location.

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SUIT AGAINST COFER

HUMPHREYS ORDERS IT TAKEN TO ESTEE.

The Wife's Property Free from a Note She Signed.

The suit of George B. McClellan against Dr. L. E. Cofer, involving the title to Quarantine Island, was this morning ordered transferred to the United States District Court, by Judge Humphreys, on motion of Attorney J. J. Dunne. The case was brought in the Territorial court against Cofer as an individual, to eject him from the island. It was claimed, however, that Cofer merely held the land as a federal official, and that the real defendant was the United States. On this showing Judge Humphreys ordered the case transferred to the federal court and it will now be brought before Judge Estee.

In the case of John Kidwell vs. Frank Cofer, Judge Humphreys ordered a demurrer. The case involves land titles in the estate of Theophilus Metcalf.

W. H. Sims, administrator of the estate of Kate H. Sims appeared in court in answer to a petition filed by Bishop & Company, asking for an order directing him to pay a joint note by himself and wife, from the funds of the estate. Judge Humphreys took the other view, however. He held that as the note was for Sims, under Hawaiian statutes the wife could not be held responsible for it and her estate was not chargeable with it, even though she had signed the note. Sims testified that he had not intended to pay it out of the estate unless the court forced him to do so, and that he had delayed making an accounting of the affairs of the estate in order to pay the sum himself first. The court made an order directing him, as administrator, not to pay the money.

In Judge Gear's court the case of F. W. Davis, charged with a criminal assault on a girl under 14 years of age, was heard. The court was closed to the public during the hearing of the case.

William Davis has paid the fine of \$1,000 imposed on him by Judge Gear, with \$18.50 costs, and his bondsmen have been discharged.

HEAVY KONA HERE

STRONG WIND STIRRING UP THE HARBOR.

Only Three Departures Were Made Today—The Bark S. C. Allen Left for San Francisco.

Without exception, the heaviest kona that has been experienced in Honolulu this winter is now prevailing. The wind has been blowing from the south for several days, and this morning it increased to quite a stiff breeze. The sea is breaking over the reef and inside the harbor the wind is lashing the water into whitecaps.

Quite a number of the island schooners were to have sailed this afternoon for various ports, but owing to the bad weather, all remained lashed tight and fast to the wharves, waiting until the wind will subside. There were only three departures during the day. The little tug Kaena started shortly after 10 o'clock in the morning for Pearl Harbor. At noon Captain Johnson of the bark S. C. Allen got away for San Francisco.

The services of both the Fearless and the Elie were called upon to get the bark out of the Wilder slip. The Allen was deep loaded with sugar. Captain Marx, assistant harbor master, superintended the work of getting her out, and she was towed by the Fearless and the Elie. The Allen took a stern line and pulled the bark straight out from the slip across the channel. The wind was blowing from the harbor with the bark, the tow being without further incident.

The Chilean barkentine Alta is to leave this afternoon for Port Angeles. There are comparatively few vessels anchored in the stream now, but those which are have been secured with additional stern lines and unless the wind increases to an unusual degree, no danger of any of the boats getting loose is apprehended. It is regarded as more than probable, however, that the wind will still be blowing tomorrow.

No island steamers were scheduled to depart today, but the weather has not been sufficiently rough to have caused them to remain in port.

The southerly winds will cause the Allen to get a fine start to San Francisco. It is anticipated that she will make a very speedy trip. All of the sailing vessels which were becalmed off Molokai last Sunday have caught the southerly winds and are now well on their way to northern ports.

Ads under "Situations Wanted," inserted free of charge in the Star.

Stop Rubbering! See What You Write!



PEARSON & POTTER CO., LTD.

AGENTS

REVIVE OLD CUSTOM

HAWAIIAN DISC HURLING SUGGESTED FOR FIELD DAY.

Description of the Ancient Game Shows Its Relationship to the Greek Discobolus Contests.

The suggestion has been made that in the sports to come off at the big field day to be held for the benefit of the Boy's Brigade, in addition to the regular events the old sport of rolling the discus, once so prevalent among the Hawaiians be revived.

The discus was a polished disc of stone some six inches in diameter, and perhaps an inch and a half in thickness slightly convex on the sides. The sport was very similar to that of the ancient Hellenic custom of throwing the discus and some philologists have added this custom, with the shape of the Hawaiian helmets, wreath giving, and other national traits, to the evidences from which they endeavor to trace the Hawaiian and allied races to a primary Greek and Persian origin.

The discus was always brought out at any gathering where feats of skill and strength were to be exhibited among the Hawaiians. Local champions from far and near would gather to show their skill and many were the wagers on the outcome. The polished stones were hurled with all the force and skill of the thrower who assumed in his cast a pose that must have been almost identical with that of the well known statue of the "Discobolus thrower."

The polished stones would rush along the smooth track passing all competitors or lingering behind the foremost. Standing at a distance, the muscles of the thrower remained immovable while the excited multitude, lined up along the specially prepared track would endeavor to keep pace with the swiftly rushing disc shouting aloud as it passed over the track. The disc was thrown with a powerful arm, now lying still at their joints, and, perhaps through some unskillful twist at the moment of delivery, turning aside from the path at the moment of triumph, and spreading momentary consternation for their shins among the crowd who laughed at the discomfited athlete.

The strength used in throwing the disc may be imagined by the length of the track which was prepared. Governor Dole this morning in approving the suggestion, stated that the old disc tracks prepared for the game of twelve hundred yards length. "I believe," said he, "that the length of the throw was not the only test. If I remember rightly sticks were set up at the end of the track between which the disc had to pass to achieve the victory."

Other witnesses of this sport corroborate the length of the casts, adding that one disc would sometimes be so skillfully hurled as to throw out of the path a competitor who lay in the center of the track, and still come between the sticks. At luau and native festivals the sport seems to have been practiced in a modified form by the younger men only.

The connection between disc throwing, quoits, the Scotch curling game, and even the above halfpenny of English linen, shuffle board and similar games allies the disc throwing sport in more or less modified and distorted form with all nationalities and ages.

The Hawaiian sport was magnificent exercise and seems to have died out with the present generation. The modern Hawaiian youth would prove a poor hand at spear throwing or hurling the discus, even at a hundred yards with out a great deal of practice, but a great many have urged the taking up of the latter sport and suggest the field day as an opportunity for its revival.

A level track could be easily prepared for the sport, and need not be nearly the length mentioned by the authorities. Perhaps too some older native not yet cramped with age, would show the young idea how to roll. The discus, which is a beautiful and symmetrical object, the polishing and reduction must have been largely done by hand, a sea washed stone possibly acting as the basis. Stones similar to the malika, without the extreme convexity and yet more highly polished, were the old time mirrors of the Hawaiians.

THE NEW COURT ROOMS.

The alterations in the Judiciary building were begun this morning. Chief Justice Frear's and Justice Galbraith's chambers were first tackled. New floors are being put down and Galbraith's room is being changed into three small ones, for Judge Galbraith's chambers are now being used by the clerks.

IN THE ISLE OF WIGHT.

Mr. and Mrs. T. Rain Walker, a family, who left here nearly a year ago to reside in England, have bought a home in the Isle of Wight and are living there. Mr. and Mrs. Tom May and family, who left about the same time, have bought a home in Kent.

ENDOWMENT INSURANCE.

Any one having a few dollars to invest can do no better than buy an Endowment policy in The Oriental Life Insurance Co.

CHANGE NEEDED.

Take a look at your walls. Don't you think a new covering of 1893 designs in wall papers will improve their appearance. The paper doesn't cost much at Best's.

WHITE DRESSES.

This week L. E. Kerr & Co. have a grand display of white muslin English lawn, India limes, Swiss muslins, Nainsooks, etc., at prices only to be obtained at their store.

SEMI-WEEKLY STAR.

Honolulu people who are going abroad can have the Semi-Weekly Star mailed to any address for the small sum of twenty-five cents a month. The Semi-Weekly Star contains all the local news of importance, besides the daily stock quotations.

SOLACE DOES MUGH DAMAGE

SMASHES THE PACIFIC MAIL WHARF WHILE TRYING TO DOCK.

BROKE DOLPHIN AND RAN INTO TUG ROVER.

Heave Southern Wind Caused Naval Vessel to Get Beyond Captain Winslow's Control This Morning.

The naval ship Solace, Captain Herbert Winslow, arrived this morning from Guam and Manila en route to San Francisco. The entrance of the vessel into the harbor was attended by quite a sensational performance, in which she put her mark on the Pacific Mail dock in a way that will necessitate considerable repairs being made at that part of the Water Front.

The Solace had made pilikia trying to dock in Naval slip No. 1, than she has probably experienced during all of her voyage since she was last in this port, and all of the trouble today was due entirely to the refusal of her command, Captain Winslow, to have a tug assist him in docking his vessel in the heavy wind which has been blowing all morning.

Owing to the acquaintance of Captain Winslow with this harbor the Solace does not take a pilot. This morning about 10:30 o'clock, the Solace entered the channel. She was met by the tug Fearless before she got past the light-house. Captain Brokaw of the tug asked if the services of his vessel were not required to hold the larger vessel against the wind when she was being backed. Captain Winslow declined to hire the tug however so Brokaw went away. When the Solace turned the malika side of the light-house, she presented her port side to the wind which had a full sweep. The wind caught hold of the vessel and metaphorically picked her up and threw her against the four piled dolphins which is Wallicki from the Naval wharves and some distance on in the harbor, from the dock. Plunging against this dolphin was the Solace. The dolphin was serving as a mooring place for the lines of the tug Rover, and the Pioneer, Hookfield and Company's new steel scow. The force of the wind was such as to put a strain on the dolphin that one of the piles broke and the apparatus looked for a while as if it would collapse.

Winslow was on the bridge and he ordered the vessel to go ahead. The boat started up but she could make no headway with the wind full against her port side and the result was that she bore down onto the Wallicki part of the Pacific Mail dock.

"Back your boat, Captain," was yelled from the crowd of people on the docks. "Back her for God's sake or you will smash the wharf."

The boat went ahead and at the same time was carried in shore by the wind until she shoved her nose hard into the Pacific Mail wharf, at almost the identical spot that the ship Benjamin F. Packard struck some months ago. There was a cracking and grinding as the heavy Solace crashed the timbers and boards of the Mail dock. Then Winslow began to back his vessel. She was backed past the two naval docks and finally it was seen that she was heading straight for the little tug Rover, which was lying moored to the broken dolphin.

"Look out over there, you fellows," was yelled to the men on the Rover. "She's going to strike you."

There was a wild scurrying about to cast loose the lines and get the tug out of the way of the Solace but it was too late and the stern of the big naval vessel bumped against the tug. People on the wharves feared that the tug would be bowled over but the force of the collision was not so great, however, as to do any serious damage to the smaller vessel. After hitting the Rover the Solace went ahead again and rubbed against the end of naval wharf No. 2 from where she scraped across the naval slip and lay alongside Pacific Mail wharf absolutely helpless. She remained there for some time as Winslow declared, so people on the wharf assert, that as could not dock her without the assistance of the Fearless.

A messenger was hurriedly dispatched to Captain Brokaw. The latter responded with the Fearless and got a line onto the Solace's bow and pulled her nose up into the wharf. The Solace was then able to drop back stern first into the Naval slip, without further trouble. No damage was done to the Solace so far as is now known.

LONDON'S TELEPHONES.

London's new telephone system which is being put in by the Government as a part of its postoffice service, will have a capacity of 14,000 subscribers who will pay by the message.

LIMITED BRANDS.

There are between a million and a half and two million brands of cigars sold in this country, and your average smoker thinks that every brand means a different kind of tobacco. As a matter of fact, 150 is an outside estimate of the different kinds of tobacco that can be produced from all sources, and even experts can't tell some of these apart.—Washington Star.

BILIOUS COLIC.

H. Seever, a carpenter and builder of Kenton, Tenn., U. S. A., when suffering intensely from an attack of bilious colic, went to bed by drug store for something to relieve him. The druggist sent him a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy three doses of which effected a permanent cure. This is the only remedy that can be depended upon in the most severe cases of colic and cholera morbus. Most druggists know this and recommend it when such a medicine is called for. For sale by all dealers. Chamberlain, Smith & Co., general agents, Hawaiian Islands.

A GOOD APPETIZER.

A ride up Pacific Heights is a good appetizer.

Note Heads, Bill Heads, Statements and Fine Commercial Printing at the Star Office.

OUT FOR SAM PARKER

HOME RULERS WANT TO ENDORSE HIM.

Lack of a Quorum Last Night Prevented Action—Saloons and the Anti-Saloon League.

The Home Rule meeting last night came to nothing for lack of a quorum. J. K. Kaula, President of Aloha Aloha society, went to the meeting with a programme to endorse Samuel Parker for Governor, and he was greatly disappointed at the failure to carry it through. Kaula said this morning that the Home Rulers would yet endorse Sam, and he would bring it up at the next meeting.

Parker, it will be remembered, was opposed to the Home Rulers in the last election, running on the Republican ticket against Wilcox. But now that even the Home Rulers do not think that Wilcox can be Governor, Parker is regarded as a good man to endorse. Nothing succeeds like success, and having become convinced that Parker has a good chance, some of the Home Rule leaders want to endorse him before it is too late.

About a dozen persons gathered last night and waited about an hour for a quorum spending the time in informal discussions. Among the matters talked of was the action of the special committee in deciding not to send a representative to Washington, to help Carter in telling the President what should be done. This action will come before the Central committee for approval.

Another subject to come up is the disorganizing law. The Anti-Saloon League has had hundreds of copies of the South Carolina law printed and proposes to distribute them throughout the islands, as a beginning of the campaign for that measure, in the next election campaign. This is also to be discussed by the Home Rulers. There are men on the committee who have not been regarded as strong advocates of temperance, and they may oppose an alignment with the Anti-Saloon League. They have affiliated with Republicans, however, and in the fourth district have proposed affiliation with Democrats as well, so that there might not be trouble in supporting saloons and the Anti-Saloon League at the same time.

SABATE GOES FREE

CASE DROPPED IN POLICE COURT TODAY.

Attorney E. S. Gill Made Statement Charging Two Men With System of Robbery at the Hawaiian Hotel.

The charge of larceny in the second degree against Jean Sabate fell through this morning in Judge Wilcox's court. Sabate had been accused by one W. Nerney with having stolen some personal effects of the value of \$5.00. The defendant was present in court accompanied by his counsel E. S. Gill. Deputy High Sheriff Chillingworth announced that after investigating the case he did not feel justified in pressing the charge and would therefore enter a nolle prosequi. Mr. Gill asked the permission of the court to make a statement concerning the case.

"I believe," said Mr. Gill, "that the court has been imposed upon in the institution of this charge. An effort has been made to utilize this court to bring the defendant into disrepute. We had intended to show as a part of our defense that there has been stealing going on at the Hawaiian Hotel but that two other men are the ones who have been doing the stealing. I desired to bring these matters before the court in order that the court could take what action it saw fit in the matter."

In making this statement Gill gave the names of the two men he claimed had been doing the stealing.

"The case has been taken out of the court's hands," answered Judge Wilcox "by reason of a nolle prosequi being entered. When a man comes and is ready to swear to a charge, the court has no alternative but to issue the complaint. He could hardly try the case before the jury by asking the accused what defense he had to make."

ICE HOUSE DELICACIES.

Camaron California Fruit Market is the place for ice house delicacies. Everything the California market affords at this season of the year can be found at Camaron.

THE LATEST FAD.

Evening parties at the "Tea House" on the Heights is the latest fad.

SALE OF LINEN GOODS.

Kerr's sale of linen goods is well worth the attention of Householders. Linen Sheets, Table Cloth, Table Napkins, Linen, Towels, etc., at prices that can't be duplicated.

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Safeguards the food against alum.

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RECEIVER FOR KONA SUGAR CO.

PETITION FILED THIS MORNING BY M. McCHESNEY AND SONS.

A MOVE TO CLEAR UP AFFAIRS OF THE CONCERN.

Agents Have a Claim for Nearly \$200,000 and There Are \$300,000 Bonds Outstanding.

A petition for the appointment of a receiver for the Kona Sugar Company was filed today by F. W. Hankey, attorney for M. W. McChesney & Sons. This suit is entitled W. M. McChesney & Sons vs. the Kona Sugar Company and the American Bank and Trust Company, the latter being sued as trustees for some of the creditors.

The plaintiffs sue for \$198,826, alleged to be due them from the corporation, and ask that a receiver be appointed to take charge of the property of the corporation, for the benefit of all the creditors. In addition to this demand, it is stated, there are \$200,000 of the last issue of bonds, held by trustees, and there are also some other creditors.

The affairs of the corporation have been under discussion for some days, while the application for a receivership has been also under discussion. Hankey stated this afternoon that the suit was probably the only method by which the affairs of the company could be cleared up, and that the result would probably be the protection of all concerned and the successful operation of the company.

McChesney & Sons are agents for the plantation, having a contract to act as such up to October, 1908. The complaint sets forth that the agents are under obligations to pay, on behalf of the Kona Sugar Company, to Castle & Cooke, \$2,285.90; to Brewer & Company, \$3,000.45; to E. C. Greenwell, \$1,000.

It is set forth that the sugar crop now on the plantation is worth \$200,000 and that its value is deteriorating on account of the corporation's lack of funds to properly care for it.

It is understood that the proceeding is a friendly one, that Bishop & Co., who are among the largest creditors, have agreed to name the receiver and advance sufficient money to carry on the plantation for a time at least. S. M. Damon, or some one on his behalf, will go to the plantation by the next steamer to look over the plantation and the situation.

The annual reports of the corporation are now being prepared. In these it is stated that the past year has been a most favorable one for growing cane, and that there is now a crop of some 2,000 to 3,000 tons of sugar ready to begin milling or will be ready to begin on or about the end of this month. One of the reasons for beginning this proceeding are the difficulties having been encountered in providing finances necessary to harvest this crop. It is believed that a receivership will enable this to be done, so that the crop can be milled and marketed promptly, and that this will go far toward straightening out the most pressing of its financial difficulties, and enable the company to make arrangements for a complete disentanglement from its difficulties.

The First American Savings and Trust Company Bank is made a party defendant, because it is the trustee for the bondholders. Of these bonds, \$200,000 have been issued. Part of them have been sold and part of them negotiated as collateral security for debts of the corporation.

BANISHED FROM ROME.

The Pope is stated to have refused the application for permission to settle in Rome which was made by several of the religious congregations expelled from France under the new law.

THE WIDE-AWAKE COMPANY.

The policyholders in the wide-awake and enterprising Provident Savings Life Assurance Society will be gratified to know that as the result of a very thorough examination of the company's affairs by the insurance departments of Tennessee and Texas, it has been highly complimented because of its sound, healthy, and prosperous condition.—Ladies Weekly.—A. Newhouse, resident manager, 15-16 Progress block.

Hamilton-Brown Shoe Co.'s Shoes

REPRESENT THE HIGHEST STANDARD IN GOOD WEARING, COMFORTABLE AND NEAT FITTING FOOTWEAR.

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